From: Goforth, Kathleen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0821CCF0EA9E4C18A3D2A583158B713E-KGOFORTH]

Sent: 5/3/2017 11:36:46 PM

To: Geselbracht, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=bc375806a9ea4394ba2418872dce3838-JGESELBR]

CC: Jessop, Carter [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=a388de803b164e1480887c784b8968d5-CJESSOP]; Moutoux, Nicole

[/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=574b3a85014d46d3965b59700a04a55e-NMOUTOUX]

Subject: Re: ROD verbiage and next steps

Deliberative Process / Ex. 5

Sent from my iPhone

On May 3, 2017, at 4:08 PM, Geselbracht, Jeanne < Geselbracht Jeanne@epa.gov > wrote:

Deliberative Process / Ex. 5

Jeanne Geselbracht Environmental Review Section (ENF-4-2) U.S. EPA Region 9 75 Hawthorne Street San Francisco, CA 94105

Phone: (415) 972-3853

From: Goforth, Kathleen

Sent: Wednesday, May 3, 2017 2:37 PM

To: Geselbracht, Jeanne < Geselbracht. Jeanne@epa.gov>

Cc: Jessop, Carter < <u>JESSOP.CARTER@EPA.GOV</u>> **Subject:** Re: ROD verbiage and next steps

I may not be remembering this correctly, but I thought that the 401 cert applies to the Corps' permit, not to the MPO approval, so, if there is no 404 permit, the 401 cert is essentially moot. Check with Liz on this.

-Kathy

Sent from my iPhone

On May 3, 2017, at 11:17 AM, Geselbracht, Jeanne <Geselbracht, Jeanne@epa.gov> wrote:

Saa Saction 9.2.1 bolow: Santonco 2 implies USES con issue MPO if A7 does 401 cort

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jeanne Geselbracht Environmental Review Section (ENF-4-2) U.S. EPA Region 9 75 Hawthorne Street San Francisco, CA 94105

Phone: (415) 972-3853

From: Goforth, Kathleen

Sent: Tuesday, May 2, 2017 3:00 PM

To: Johnson, Kathleen < Johnson, Kathleen@epa.gov; Moutoux, Nicole

< Moutoux. Nicole@epa.gov >; Jessop, Carter < JESSOP. CARTER@EPA.GOV >; Geselbracht,

Jeanne <<u>Geselbracht.Jeanne@epa.gov</u>> **Subject:** Fwd: ROD verbiage and next steps

Rec'd from Kerwin ...

Sent from my iPhone

Begin forwarded message:

From: "Dewberry, Kerwin -FS" <kdewberry@fs.fed.us>

Date: May 1, 2017 at 5:00:13 PM PDT

To: "suriano.elaine@epa.gov" <suriano.elaine@epa.gov>, "Goforth,

Kathleen" <Goforth.Kathleen@epa.gov>

Cc: "Hood, Chad C -FS" <<u>cchood@fs.fed.us</u>>, "Baxter, Sarah - FS" <sbaxter@fs.fed.us>, "Tafoya, Diane -FS" <dtafoya@fs.fed.us>

Subject: ROD verbiage and next steps

Hello Kathy,

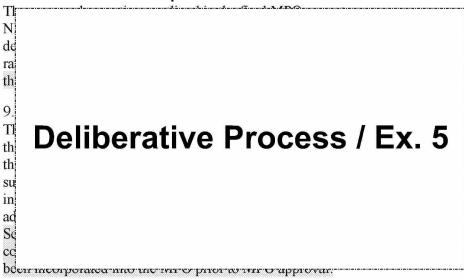
Here is the information in the ROD that is still being reviewed but I am not expecting this language to change. Section 3.1 is wording from the ROD pertaining to the Decision and section 9 talks in-term of the required steps needed after the decision is signed and before a Mine Plan of Operation is generally approved.

3.1 Decision for the Rosemont Copper Project

Deliberative Process / Ex. 5

be implemented, operations on NFS lands cannot begin until the final MPO is authorized 9.0 Implementation of the MPO.

9.1 Forest Service Requirements



9.1.2 Financial Assurance (Reclamation Bond)

Deliberative Process / Ex. 5

ure required revisansarour:

9.1.3 Clean Water Act 401 Certification

As stated in FSM 2817.23a, both the Forest Service and the proponent have CWA requirements to meet. The Forest Service cannot authorize an MPO until the CWA 401 certification has been obtained or waived by

Deliberative Process / Ex. 5

permit for the project.

10.0 Effective Date



<image001.png>

Kerwin S. Dewberry Forest Supervisor Forest Service Coronado National Forest

p: 520-388-8306 9: 520-363-4652 Personal Email / Ex. 6 1: 520-388-8305 kdewberry@fs.fed.us 300 West Congress Street Tucson, AZ 85701

www.fs.fed.us

<image002.png><image003.png><image004.png>

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